

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>2:13CR118-PPS</b>
	)	
<b>MICHAEL DWAYNE ENGLISH,</b>	)	
	)	
<b>Defendant.</b>	)	

**OPINION AND ORDER**

Back in 2014, defendant Michael Dwayne English pled guilty to a charge of possession of an unregistered firearm. [DE 22, 24.] On July 29, 2015, I sentenced English to 66 months of imprisonment, to be followed by a term of 18 months on supervised release. [DE 65.] English did not appeal the judgment, and has never filed a motion under 28 U.S.C. §2255 challenging his sentence. Information available through the Federal Bureau of Prisons website indicates that English completed his prison term and was released on March 22, 2019.

Since that time, English has made four pro se filings with the court, labeled as a “Notice of Constitutional Challenge to Statue (sic) and Motion to Intervene” [DE 67], “Consent of Surety” [DE 68], “Notice Concerning Fiduciary Relationship” [DE 71], and “Notice to Agent is Notice to Principal, etc.” [DE 72.] None of these filings invokes a recognizable legal basis for granting English any relief in this closed criminal case. Because that is so, I will take no action on the filings, which neither request nor support any action by this court.

After the first two of English's recent filings, the government filed a memorandum suggesting a different course. The government urges me to provide a notice to English allowing him an opportunity to withdraw the "motions" or they will be construed as a motion to vacate, set aside or correct sentence under 28 U.S.C. §2255. I think the government's interpretation of English's "Notice of Constitutional Challenge" [DE 67] as a motion asserting an argument that "he is beyond the jurisdiction of the criminal statutes with which he was charged" [DE 70 at 3] is overly generous. The Notice contains a brief reference to a "challenge to the constitutionality of" a number of federal statutes, including those underlying the count he pled guilty to in this case. But those few words are tucked within 17 pages of legal nonsense, and are now accompanied by three subsequent filings of more legal mumbo-jumbo and random forms. I find it inappropriate and unnecessary to construe any of the materials as a motion of any kind.

**ACCORDINGLY:**

The Court will take no further action on defendant Michael English's "Notice of Constitutional Challenge to Statue (sic) and Motion to Intervene" [DE 67], "Consent of Surety" [DE 68], "Notice Concerning Fiduciary Relationship" [DE 71], and "Notice to Agent is Notice to Principal, etc." [DE 72.]

**SO ORDERED.**

ENTERED: November 4, 2019.

/s/ Philip P. Simon  
**UNITED STATES DISTRICT JUDGE**